IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

FRIDAY, THE 27TH JULY 2007 / 5TH SRAVANA 1929

Bail Appl..No. 4613 of 2007()

AGAINST THE JUDGEMENT/ORDER IN BA.4251/2007 Dated 06/07/2007
CP.38/2007 of II ADDL.M.C., ERNAKULAM
CRIME NO.67/04 OF KUTTAMPUZHA POLICE STATION

.....

PETITIONER/1ST ACCUSED:

VARGHESEKUTTY, S/O. VARKEY,
THONDUNGAL HOUSE, THINNAMKUTHY, POOYAMKUTTY P.O.,
KUTTAMPUZHA, KOTHAMANGALAM.

BY ADV. SRI.JOHN JOSEPH(ROY)

RESPONDENTS: COMPLAINANT:

STATE OF KERALA,
REPRESENTED BY THE S.I. OF POLICE,
KUTTAMPUZHA POLICE STATION THROUGH THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY P.P. SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 27/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

B.A. NO. 4613 of 2007

Dated this the 27th day of July, 2007

ORDER

Application for regular bail. The petitioner is the 1st accused. He was allegedly found to be in possession of 257 litres of Wash. Investigation is over. Final report has already been filed. After cognizance was taken by the learned Magistrate, the petitioner, on receipt of summons, appeared before the learned Magistrate. He had earlier sought anticipatory bail from this Court and directions were issued as per the order dated 6/7/07. The learned Magistrate considered the application for regular bail; but, after the petitioner surrendered before the learned Magistrate on 20/7/07, the application was dismissed. The case has, on that day itself, committed to the Court of Session, submits the learned counsel for the petitioner.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer, the

final report having been already filed and the petitioner having already appeared before the learned Magistrate, and I am satisfied that the petitioner can now be released on regular bail subject to appropriate conditions.

3. **In the result:**

(a) The application is allowed.

(b) The petitioner shall be released on bail on the following terms and conditions:

(i) The petitioner shall execute a bond for Rs.2,00,000/- (Rupees Two lakhs only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate who has taken cognizance and who has passed the order of committal by now.

(ii) The petitioner shall make himself available for interrogation before the Investigating Officer on all Mondays and Fridays between 10 a.m. and 3 p.m. on 6/8/07 and thereafter as and when directed by the Investigating Officer in writing to do so.

(R. BASANT, JUDGE)

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